

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DOROTHY O. ATKINS,

Plaintiff,

v.

DEPARTMENT OF LABOR &
INDUSTRIES,

Defendant.

Case No. C05-1858L

ORDER TO SHOW CAUSE

This matter comes before the Court *sua sponte*. Plaintiff Dorothy Atkins, who is proceeding *pro se*, has filed her complaint, titled as a “Notice of Removal,” against the Department of Labor and Industries. Plaintiff seeks “review of all findings of facts and conclusions of law made adverse to her by” several state courts. It appears from plaintiff’s submission that this Court lacks subject matter jurisdiction over plaintiff’s lawsuit for two reasons.

First, plaintiff brings this lawsuit against the Department of Labor and Industries, which is an agency of the State of Washington. In general, lawsuits in federal court against Washington State and its agencies are barred by the Eleventh Amendment. Plaintiff does not allege that the agency has waived its immunity or consented to the suit.

Second, plaintiff is seeking appellate review of adverse state court rulings that became

1 final before she filed this action. The Supreme Court has held that federal courts do not have
2 subject matter jurisdiction to hear those claims. See Exxon Mobil Corp. v. Saudi Basic Indus.
3 Corp., 125 S. Ct. 1517 (2005) (applying the *Rooker-Feldman* doctrine). Instead, jurisdiction
4 over those appeals is vested with the United States Supreme Court.

5 Accordingly, plaintiff is ordered to SHOW CAUSE, within thirty days of the date of this
6 order, why her complaint should not be dismissed for lack of subject matter jurisdiction. The
7 Clerk of the Court is directed to place this order to show cause on the Court's calendar for
8 December 27, 2005.

9
10 DATED this 16th day of November, 2005.

11
12 

13 Robert S. Lasnik
14 United States District Judge
15
16
17
18
19
20
21
22
23
24
25
26
27